

| | | | |
|--------------------------|------------------------|---------------------|--|
| Interview Summary | Application No. | Applicant(s) | |
| | 10/051,406 | JENNINGS ET AL. | |
| | Examiner | Art Unit | |
| | Andrew Caldwell | 2142 | |

All participants (applicant, applicant's representative, PTO personnel):

(1) Andrew Caldwell. (3) _____

(2) James Stipek. (4) _____

Date of Interview: October 20, 2006 et. al.
See Substance. AC

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____

Claim(s) discussed: All.

Identification of prior art discussed: None.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

On October 20, 2006, Mr. Stipek faxed to me a draft amendment to the claims and authorized its entry as an examiner's amendment. A copy of this document is attached to this interview summary as Attachment A. When preparing the application for issue, the examiner noticed a problem with the applicants' claim for the benefit of prior U.S. applications. On October 29, 2006, the examiner faxed to the applicants a draft copy of an examiner's amendment/comment with a suggested amendment to the specification to fix the problem along with amendments to the claims. A copy of this document is attached to this interview summary as Attachment B. On November 6, 2006, Mr. Stipek faxed me an authorization to amend the claims and specification as specified in the October 29, 2006 fax. A copy of this authorization is attached to this interview summary as Attachment C.

Interview Summary – Attachment A

Polsinelli | Shalton
Welte | Suelthaus_{PC}

700 West 47th Street, Suite 1000 | Kansas City, MO 64112
(816) 753-1000 | Facsimile: (816) 753-1536 | www.pswslaw.com

October 20, 2006

From: James M. Stipek
Direct Telephone No.: 816-360-4191
Facsimile No.: 816-753-1536

Attorney Docket No.106121

| To | Company | Fax Number | Examiner's Telephone No. |
|---------------------|----------------------------------|--------------|--------------------------|
| SPE Andrew Caldwell | U.S. Patent and Trademark Office | 571-273-3868 | 571-272-3868 |

Number of Pages Transmitted (including this cover sheet): 10

If you do not receive all pages of this communication, please call James M. Stipek at 816-360-4191

Message:

| | | | |
|--------------|-------------------------------------|--------------|--------------------|
| Applicant(s) | Charles A. Jennings | Examiner | Stephan F. Willett |
| Serial No. | 10/051,406 | Art Unit No. | 2142 |
| Filed | January 18, 2002 | Conf. No. | 9625 |
| For | System and Method for Routing Media | | |

Please see the attached.

CONFIDENTIALITY NOTICE:

The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the address shown above via the U.S. Postal Service. Thank you.

Washington, D.C. | Kansas City | St. Louis | Overland Park | Topeka | New York

1409289.1

Serial No. 10/051,406
Atty. Dkt. No. 106121

Mr. Caldwell,

Attached are the claims for the above-referenced matter for which we are requesting entry. If acceptable, please enter them in an Examiner's Amendment as we discussed.

With the exception of claim 1, these are claims that Examiner Willet and I originally discussed by phone and I thought he had agreed to allow (which he subsequently said he misunderstood). I thought it made sense to change the order of the claim limitations in claim 110 to correct the antecedent basis problem (in the attached amendment). But, we can also go with the claim in the form immediately below. Either way is fine with us. Please advise if you would like me to make this change.

110. (Currently Amended) A system for routing media for a request for a viewer comprising:
- a management system configured to receive the request for media, to determine a program in which the requested media is identified, to create a presentation having a presentation identification based on the program, to generate a reservation comprising a reservation identification and the presentation, and to generate a play script comprising the reservation identification and at least one media identification for the requested media; and
 - a routing processor configured to receive the reservation, the reservation identification, and the media identification, to validate the reservation identification with the reservation, to determine a media switch configured to stream the media identified by the at least one media identification, and to generate an address for the media switch upon validating the reservation identification; and
 - a wherein the media switch is configured to stream the media identified by the at least one media identification upon a session being initiated at the address.

Regarding claim 1, I removed "at the routing processor" from the step "validating the reservation identification with the reservation at the routing processor and, at the routing processor."

Examiner Willet had requested that I include it. I told him that it was already in the limitation and we did not need to list it twice. But, I did not want to hold up allowance based on that issue. I removed it herein since it is duplicative. I can put it back in if preferable. Please advise if you would like me to make this change.

If you would like me to make any of these changes, please let me know. I will make the change and send you a final fax with the final changes. Feel free to contact me by phone, email, or fax. My email is jstipek@pswslaw.com. My fax and phone number are above.

Thank you for your assistance in this matter.

Jim Stipek
October 20, 2006

Serial No. 10/051,406
Atty. Dkt. No. 106121

In the Claims

1. (Previously Presented) A method for routing media comprising:
receiving a request for media;
determining a program in which the requested media is identified;
creating a presentation having a presentation identification based on the program;
generating a reservation comprising a reservation identification and the presentation;
generating a play script comprising the reservation identification and at least one media
identification for the requested media;
receiving the reservation, the reservation identification, and the at least one media
identification at a routing processor;
validating the reservation identification with the reservation at the routing processor and
determining a media switch configured to stream media identified by the media
identification;
generating an address for the media switch upon validating the reservation identification
and determining the media switch; and
streaming the media identified by the media identification from the media switch upon a
session being initiated at the address.
2. (Previously Presented) A method for routing media for reception by a viewer for a
request comprising:
identifying at least one program in which at least a portion of the media is available;
processing the request with at least one program rule of the at least one program to
generate a presentation identifying the at least the portion of the media;
generating a reservation associated with the presentation; and
identifying at least one resource to stream the presentation for reception by the viewer
based on the reservation.
3. (Previously Presented) The method of claim 2 further comprising:
identifying at least one other program in which at least one other portion of the media is
available;
processing the request with at least one other program rule of the at least one other
program to generate at least one other presentation identifying the at least one
other portion of the media;

Serial No. 10/051,406
Atty. Dkt. No. 106121

generating at least one other reservation associated with the at least one other presentation; and
identifying, based on the at least one other reservation, if the at least one resource is configured to stream the at least one other presentation.

4. (Previously Presented) The method of claim 2 further comprising:
identifying at least one other program in which at least one other portion of the media is available;
processing the request with at least one other program rule of the at least one other program to generate at least one other presentation identifying the at least one other portion of the media;
generating at least one other reservation associated with the at least one other presentation; and
identifying, based on the at least one other reservation, at least one other resource to stream the at least one other presentation.

5. (Previously Presented) The method of claim 2 further comprising:
identifying at least one other program in which at least one other portion of the media is available;
processing the request with at least one other program rule of the at least one other program; and
generating the presentation identifying the at least one portion of the media and the at least one other portion of the media.

6. (Previously Presented) The method of claim 2 further comprising:
generating a presentation identification for the presentation and a reservation identification for the reservation; and
generating the presentation, the presentation identification, and the reservation identification as the reservation.

7. (Previously Presented) The method of claim 2 further comprising applying a viewer profile to the at least one program to generate the presentation.

Serial No. 10/051,406
Atty. Dkt. No. 106121

8. (Previously Presented) The method of claim 2 further comprising generating a play script for the presentation for the viewer, the play script comprising at least one media reference identifying the at least one portion of the media.

9. (Previously Presented) The method of claim 8 wherein generating the play script further comprises generating the play script with a plurality of media references identifying a plurality of media.

10. (Previously Presented) The method of claim 8 further comprising generating the at least one media reference to identify at least one media clip and a reservation identification for the reservation.

11. (Previously Presented) The method of claim 8 further comprising generating the at least one media reference to comprise a universal resource locator that identifies at least one media clip and a reservation identification for the reservation.

12. (Previously Presented) The method of claim 8 further comprising generating the at least one media reference to comprise at least one member of a group consisting of a recorded media reference, a live media reference, a media alias, and a media selector.

13. (Previously Presented) The method of claim 8 further comprising formatting the play script according to a player type for the viewer.

14. (Previously Presented) The method of claim 8 further comprising transmitting an address of the at least one resource for reception by the viewer.

15. (Previously Presented) The method of claim 2 wherein the at least one resource comprises a switch and the method further comprises:

distributing the at least one program to the switch;

selecting the switch to stream the presentation for reception by the viewer; and

streaming the at least one portion of the media from the switch to for reception by the viewer.

16. (Previously Presented) The method of claim 2 further comprising selecting the resource from at least one member of a group consisting of a switch, a media server software of the switch, and a stream caster of the switch.

Serial No. 10/051,406
Atty. Dkt. No. 106121

17. (Previously Presented) The method of claim 2 wherein:
the at least one program has a program identification; and
the method further comprises tracking the program by the program identification using a
management system.

18. (Previously Presented) The method of claim 17 further comprising using the
program identification to track at least one member of a group consisting of a number of times a
selected media of the at least one program is streamed, another number of times the at least one
program is streamed, a viewer attribute associated with the viewer receiving the selected media
from the at least one program, and at least one other media from at least the other program
streamed with the at least one portion of the media.

19. (Previously Presented) The method of claim 2 further comprising using as the at
least one program rule at least one member of a group consisting of a program creation rule and a
program routing rule.

20. (Previously Presented) The method of claim 2 further comprising using at least
one order comprising at least one order component associated with the at least one program to
process the request and generate the presentation.

21. (Previously Presented) The method of claim 20 further comprising using as the at
least one order component at least one member of a group consisting of a service rule identifying
how a media viewing should be paid, a storage rule identifying where the media and the program
will be located for physical storage, a collection rule identifying an entity collecting a payment
for services rendered, a viewing rule identifying acceptable viewers that can receive the media
and the program, and a settlement rule identifying how a collection is divided among
participating entities.

22. (Previously Presented) The method of claim 20 further comprising using a service
processor to enable entry of the at least one program and the at least one order for the at least one
program.

23-109. (Cancelled)

110. (Currently Amended) A system for routing media for a request for a viewer
comprising:

Serial No. 10/051,406
Atty. Dkt. No. 106121

a management system configured to receive the request for media, to determine a program in which the requested media is identified, to create a presentation having a presentation identification based on the program, to generate a reservation comprising a reservation identification and the presentation, and to generate a play script comprising the reservation identification and at least one media identification for the requested media;

a media switch configured to stream media identified by the at least one media identification upon a session being initiated at an address; and

a routing processor configured to receive the reservation, the reservation identification, and the media identification, to validate the reservation identification with the reservation, to determine a the media switch configured to stream the media identified by the at least one media identification, and to generate ~~an~~ the address for the media switch upon validating the reservation identification, ~~and~~

~~a media switch configured to stream the media identified by the at least one media identification upon a session being initiated at the address.~~

111. (Previously Presented) A system for routing media for reception by a viewer for a request comprising:

a reservation system configured to receive the request, to identify at least one program in which at least a portion of the media is available, to process the request with at least one program rule of the at least one program to generate a presentation identifying the at least the portion of the media, and to generate a reservation associated with the presentation; and

a routing processor configured to receive the reservation from the reservation system and to identify, based on the reservation, at least one resource to stream the presentation for reception by the viewer.

112. (Previously Presented) The system of claim 111 wherein:

the reservation system further is configured to identify at least one other program in which at least one other portion of the media is available, to process the request with at least one other program rule of the at least one other program to generate at least one other presentation identifying the at least one other portion of the

Serial No. 10/051,406

Atty. Dkt. No. 106121

media, and to generate at least one other reservation associated with the at least one other presentation; and

the routing processor further is configured to receive the at least one other reservation from the reservation system and to identify, based on the at least one other reservation, if the at least one resource is configured to stream the at least one other presentation.

113. (Previously Presented) The system of claim 111 wherein:

the reservation system further is configured to identify at least one other program in which at least one other portion of the media is available, to process the request with at least one other program rule of the at least one other program to generate at least one other presentation identifying the at least one other portion of the media, and to generate at least one other reservation associated with the at least one other presentation; and

the routing processor further is configured to receive the at least one other reservation from the reservation system and to identify, based on the at least one other reservation, at least one other resource to stream the at least one other presentation.

114. (Previously Presented) The system of claim 111 wherein the reservation system is configured to identify at least one other program in which at least one other portion of the media is available, to process the request with at least one other program rule of the at least one other program, to generate the presentation, and to generate the reservation associated with the presentation, wherein the presentation identifies the at least the portion of the media and the at least one other portion of the media.

115. (Previously Presented) The system of claim 111 wherein the reservation system is configured to generate a presentation identification for the presentation and a reservation identification for the reservation, and the reservation comprises the presentation, the presentation identification, and the reservation identification.

116. (Previously Presented) The system of claim 111 wherein the reservation system is configured to apply a viewer profile to the at least one program to generate the presentation.

Serial No. 10/051,406
Atty. Dkt. No. 106121

117. (Previously Presented) The system of claim 111 wherein the reservation system further is configured to generate a play script for the presentation for the viewer, the play script comprising at least one media reference identifying the at least the portion of the media.

118. (Previously Presented) The system of claim 117 wherein the play script comprises a plurality of media references identifying a plurality of media.

119. (Previously Presented) The system of claim 117 wherein the media reference identifies at least one media clip and a reservation identification for the reservation.

120. (Previously Presented) The system of claim 117 wherein the media reference comprises a universal resource locator that identifies at least one media clip and a reservation identification for the reservation.

121. (Previously Presented) The system of claim 117 wherein the media reference comprises at least one member of a group consisting of a recorded media reference, a live media reference, a media alias, and a media selector.

122. (Previously Presented) The system of claim 117 wherein the play script is formatted according to a player type for the viewer.

123. (Previously Presented) The system of claim 117 wherein the routing processor further is configured to transmit an address of the at least one resource for reception by the viewer.

124. (Previously Presented) The system of claim 111 wherein the at least one resource comprises a switch configured to stream the at least the portion of the media for reception by the viewer, wherein the service processor further is configured to distribute the at least one program to the at least one switch, and wherein the routing processor further is configured to select the switch to stream the presentation to the viewer.

125. (Previously Presented) The system of claim 111 wherein the resource comprises at least one member of a group consisting of a switch, a media server of the switch, and a stream caster of the switch.

126. (Previously Presented) The system of claim 111 wherein:
the at least one program has a program identification; and

Serial No. 10/051,406
Atty. Dkt. No. 106121

the system further comprises a management system configured to track the program by the program identification.

127. (Previously Presented) The system of claim 126 wherein the management system is configured to use the program identification to track at least one member of a group consisting of a number of times a selected media of the at least one program is streamed, another number of times the at least one program is streamed, a viewer attribute associated with the viewer receiving the selected media of the at least one program, and at least one other media from at least one other program streamed with the at least the portion of the media.

128. (Previously Presented) The system of claim 111 wherein the at least one program rule comprises at least one member of a group consisting of a program creation rule and a program routing rule.

129. (Previously Presented) The system of claim 111 wherein the at least one program further comprises at least one order consisting of at least one order component.

130. (Previously Presented) The system of claim 129 wherein the at least one order component comprises at least one member of a group consisting of a service rule identifying how a media viewing should be paid, a storage rule identifying where the at least the portion of the media and the program will be located for physical storage, a collection rule identifying an entity collecting a payment for services rendered, a viewing rule identifying acceptable viewers that can receive the at least the portion of the media and the program, and a settlement rule identifying how a collection is divided among participating entities.

131. (Previously Presented) The system of claim 129 further comprising a service processor configured to enable entry of the at least one program and the at least one order for the at least one program.

Interview Summary – Attachment B

Andrew Caldwell
U.S. Patent & Trademark Office
Art Unit 2142, Randolph 04E71
401 Dulany St.
Alexandria, VA 22313-1450

facsimile transmittal

To: James Stipek Fax: (816) 753-1536
From: Andrew Caldwell Date: 10/29/2006
Re: 10/051,406 (106121) Pages: 13 (including cover)
CC:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Notes:

Please review the amendment to the specification and claims. I believe that my revised language for your claim for the benefit of prior applications is what the applicants actually intend. Our paralegals have entered the continuing information for this application into PTO databases as if 09/766,519 claimed the benefit of provisional application 60/263,044. This does not seem to make sense and is not consistent with the file history of the '519 application. I will need your permission to enter the examiner's amendment since it changes the applicants' benefit claim.

EXAMINER'S COMMENTS

In a series of telephone conversations with the Applicants' attorney, James Stipek, Reg. No. 39,388, in July 2006, it became evident that the examiner's amendment to the claims of July 7, 2006 was made without the applicants' authorization. In these conversations, Mr. Stipek presented the basic facts outlined in the letter filed on September 15, 2006, which summarizes the interviews that he held with the examiner formerly assigned to this application. In a telephone interview on July 27, 2006, it was agreed, based on the seriousness of the matter, that a different examiner should be assigned to examine the application and that the application should be withdrawn from issue so actions could be taken to correct the record. As the Supervisory Patent Examiner responsible for the application, I decided to assign the application to myself. Although the letter withdrawing this application from issue was mailed on August 17, 2006, further action on the part of the Office was delayed. This delay was due, in part, to problems with correctly processing the withdrawal from issue using the USPTO's PALM database.

A number of actions must be taken to correct the record. First, the Notice of Allowability and Notice of Allowance mailed July 7, 2006 must be vacated. Second, the Notice of Allowance, the Notice of Allowability, and all supporting papers should be expunged from the record. The Examiner intends to request the Group Director to order these papers expunged. The applicants will be advised of the Group Director's decision in a future communication.

Art Unit: 2142

1 **Accordingly, the Notice of Allowability and Notice of Allowance mailed on**
2 **July 7, 2006 are hereby VACATED.**

3
4
5 **EXAMINER'S AMENDMENT**

6 An examiner's amendment to the record appears below. Should the changes
7 and/or additions be unacceptable to applicant, an amendment may be filed as provided
8 by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be
9 submitted no later than the payment of the issue fee.

10 Authorization for this examiner's amendment was given in a series of telephone
11 interviews with James M. Stipek, Reg. No. 39,388, on October 20, 2006 and October
12 30, 2006.

Art Unit: 2142

1 In the Specification

2 Please replace paragraph 1 with:

3 [0001] The present application claims the benefit of U.S. Provisional Application
4 Serial No. 60/263,044, filed January 19, 2001, entitled Media Routing Algorithm. The
5 present application is a continuation-in-part of U.S. Patent Application Serial No.
6 09/838,993, filed April 20, 2001, ~~and~~ entitled System and Method for Streaming Media,
7 and now U.S. Patent No. 7,054,949, which is a continuation-in-part of U.S. Patent
8 Application Serial No. 09/766,519, filed January 19, 2001, and entitled System and
9 Method for Streaming Media, now abandoned. ~~and takes priority to U.S. Patent~~
10 ~~Application Serial No. 60/263,044, filed January 19, 2001, entitled Media Routing~~
11 ~~Algorithm, the~~ The contents of which all the aforementioned applications are
12 incorporated herein by reference.

Serial No. 10/051,406
Atty. Dkt. No. 106121

In the Claims

1. (Previously Presented) A method for routing media comprising:
receiving a request for media;
determining a program in which the requested media is identified;
creating a presentation having a presentation identification based on the program;
generating a reservation comprising a reservation identification and the presentation;
generating a play script comprising the reservation identification and at least one media
identification for the requested media;
receiving the reservation, the reservation identification, and the at least one media
identification at a routing processor;
validating the reservation identification with the reservation at the routing processor and
determining a media switch configured to stream media identified by the media
identification;
generating an address for the media switch upon validating the reservation identification
and determining the media switch; and
streaming the media identified by the media identification from the media switch upon a
session being initiated at the address.
2. (Previously Presented) A method for routing media for reception by a viewer for a
request comprising:
identifying at least one program in which at least a portion of the media is available;
processing the request with at least one program rule of the at least one program to
generate a presentation identifying the at least the portion of the media;
generating a reservation associated with the presentation; and
identifying at least one resource to stream the presentation for reception by the viewer
based on the reservation.
3. (Previously Presented) The method of claim 2 further comprising:
identifying at least one other program in which at least one other portion of the media is
available;
processing the request with at least one other program rule of the at least one other
program to generate at least one other presentation identifying the at least one
other portion of the media;

generating at least one other reservation associated with the at least one other presentation; and

identifying, based on the at least one other reservation, if the at least one resource is configured to stream the at least one other presentation.

4. (Previously Presented) The method of claim 2 further comprising:
identifying at least one other program in which at least one other portion of the media is available;

processing the request with at least one other program rule of the at least one other program to generate at least one other presentation identifying the at least one other portion of the media;

generating at least one other reservation associated with the at least one other presentation; and

identifying, based on the at least one other reservation, at least one other resource to stream the at least one other presentation.

5. (Previously Presented) The method of claim 2 further comprising:
identifying at least one other program in which at least one other portion of the media is available;

processing the request with at least one other program rule of the at least one other program; and

generating the presentation identifying the at least one portion of the media and the at least one other portion of the media.

6. (Previously Presented) The method of claim 2 further comprising:
generating a presentation identification for the presentation and a reservation identification for the reservation; and

generating the presentation, the presentation identification, and the reservation identification as the reservation.

7. (Previously Presented) The method of claim 2 further comprising applying a viewer profile to the at least one program to generate the presentation.

8. (Previously Presented) The method of claim 2 further comprising generating a play script for the presentation for the viewer, the play script comprising at least one media reference identifying the at least one portion of the media.

9. (Previously Presented) The method of claim 8 wherein generating the play script further comprises generating the play script with a plurality of media references identifying a plurality of media.

10. (Previously Presented) The method of claim 8 further comprising generating the at least one media reference to identify at least one media clip and a reservation identification for the reservation.

11. (Previously Presented) The method of claim 8 further comprising generating the at least one media reference to comprise a universal resource locator that identifies at least one media clip and a reservation identification for the reservation.

12. (Previously Presented) The method of claim 8 further comprising generating the at least one media reference to comprise at least one member of a group consisting of a recorded media reference, a live media reference, a media alias, and a media selector.

13. (Previously Presented) The method of claim 8 further comprising formatting the play script according to a player type for the viewer.

14. (Previously Presented) The method of claim 8 further comprising transmitting an address of the at least one resource for reception by the viewer.

15. (Previously Presented) The method of claim 2 wherein the at least one resource comprises a switch and the method further comprises:

distributing the at least one program to the switch;
selecting the switch to stream the presentation for reception by the viewer; and
streaming the at least one portion of the media from the switch to for reception by the viewer.

16. (Previously Presented) The method of claim 2 further comprising selecting the resource from at least one member of a group consisting of a switch, a media server software of the switch, and a stream caster of the switch.

Serial No. 10/051,406
Atty. Dkt. No. 106121

17. (Previously Presented) The method of claim 2 wherein:
the at least one program has a program identification; and
the method further comprises tracking the program by the program identification using a
management system.

18. (Previously Presented) The method of claim 17 further comprising using the
program identification to track at least one member of a group consisting of a number of times a
selected media of the at least one program is streamed, another number of times the at least one
program is streamed, a viewer attribute associated with the viewer receiving the selected media
from the at least one program, and at least one other media from at least the other program
streamed with the at least one portion of the media.

19. (Previously Presented) The method of claim 2 further comprising using as the at
least one program rule at least one member of a group consisting of a program creation rule and a
program routing rule.

20. (Previously Presented) The method of claim 2 further comprising using at least
one order comprising at least one order component associated with the at least one program to
process the request and generate the presentation.

21. (Previously Presented) The method of claim 20 further comprising using as the at
least one order component at least one member of a group consisting of a service rule identifying
how a media viewing should be paid, a storage rule identifying where the media and the program
will be located for physical storage, a collection rule identifying an entity collecting a payment
for services rendered, a viewing rule identifying acceptable viewers that can receive the media
and the program, and a settlement rule identifying how a collection is divided among
participating entities.

22. (Previously Presented) The method of claim 20 further comprising using a service
processor to enable entry of the at least one program and the at least one order for the at least one
program.

23-109. (Cancelled)

110. (Currently Amended) A system for routing media for a request for a viewer
comprising:

Serial No. 10/051,406
Atty. Dkt. No. 106121

a management system configured to receive the request for media, to determine a program in which the requested media is identified, to create a presentation having a presentation identification based on the program, to generate a reservation comprising a reservation identification and the presentation, and to generate a play script comprising the reservation identification and at least one media identification for the requested media;

a media switch configured to stream media identified by the at least one media identification upon a session being initiated at an address; and

a routing processor configured to receive the reservation, the reservation identification, and the media identification, to validate the reservation identification with the reservation, to determine a the media switch configured to stream the media identified by the at least one media identification, and to generate ~~an~~ the address for the media switch upon validating the reservation identification; ~~and~~

~~a media switch configured to stream the media identified by the at least one media identification upon a session being initiated at the address.~~

111. (Previously Presented) A system for routing media for reception by a viewer for a request comprising:

a reservation system configured to receive the request, to identify at least one program in which at least a portion of the media is available, to process the request with at least one program rule of the at least one program to generate a presentation identifying the at least the portion of the media, and to generate a reservation associated with the presentation; and

a routing processor configured to receive the reservation from the reservation system and to identify, based on the reservation, at least one resource to stream the presentation for reception by the viewer.

112. (Previously Presented) The system of claim 111 wherein:

the reservation system further is configured to identify at least one other program in which at least one other portion of the media is available, to process the request with at least one other program rule of the at least one other program to generate at least one other presentation identifying the at least one other portion of the

Serial No. 10/051,406
Atty. Dkt. No. 106121

media, and to generate at least one other reservation associated with the at least one other presentation; and

the routing processor further is configured to receive the at least one other reservation from the reservation system and to identify, based on the at least one other reservation, if the at least one resource is configured to stream the at least one other presentation.

113. (Previously Presented) The system of claim 111 wherein:

the reservation system further is configured to identify at least one other program in which at least one other portion of the media is available, to process the request with at least one other program rule of the at least one other program to generate at least one other presentation identifying the at least one other portion of the media, and to generate at least one other reservation associated with the at least one other presentation; and

the routing processor further is configured to receive the at least one other reservation from the reservation system and to identify, based on the at least one other reservation, at least one other resource to stream the at least one other presentation.

114. (Previously Presented) The system of claim 111 wherein the reservation system is configured to identify at least one other program in which at least one other portion of the media is available, to process the request with at least one other program rule of the at least one other program, to generate the presentation, and to generate the reservation associated with the presentation, wherein the presentation identifies the at least the portion of the media and the at least one other portion of the media.

115. (Previously Presented) The system of claim 111 wherein the reservation system is configured to generate a presentation identification for the presentation and a reservation identification for the reservation, and the reservation comprises the presentation, the presentation identification, and the reservation identification.

116. (Previously Presented) The system of claim 111 wherein the reservation system is configured to apply a viewer profile to the at least one program to generate the presentation.

Serial No. 10/051,406
Atty. Dkt. No. 106121

117. (Previously Presented) The system of claim 111 wherein the reservation system further is configured to generate a play script for the presentation for the viewer, the play script comprising at least one media reference identifying the at least the portion of the media.
118. (Previously Presented) The system of claim 117 wherein the play script comprises a plurality of media references identifying a plurality of media.
119. (Previously Presented) The system of claim 117 wherein the media reference identifies at least one media clip and a reservation identification for the reservation.
120. (Previously Presented) The system of claim 117 wherein the media reference comprises a universal resource locator that identifies at least one media clip and a reservation identification for the reservation.
121. (Previously Presented) The system of claim 117 wherein the media reference comprises at least one member of a group consisting of a recorded media reference, a live media reference, a media alias, and a media selector.
122. (Previously Presented) The system of claim 117 wherein the play script is formatted according to a player type for the viewer.
123. (Previously Presented) The system of claim 117 wherein the routing processor further is configured to transmit an address of the at least one resource for reception by the viewer.
124. (Previously Presented) The system of claim 111 wherein the at least one resource comprises a switch configured to stream the at least the portion of the media for reception by the viewer, wherein the service processor further is configured to distribute the at least one program to the at least one switch, and wherein the routing processor further is configured to select the switch to stream the presentation to the viewer.
125. (Previously Presented) The system of claim 111 wherein the resource comprises at least one member of a group consisting of a switch, a media server of the switch, and a stream caster of the switch.
126. (Previously Presented) The system of claim 111 wherein:
the at least one program has a program identification; and

Serial No. 10/051,406

Atty. Dkt. No. 106121

the system further comprises a management system configured to track the program by the program identification.

127. (Previously Presented) The system of claim 126 wherein the management system is configured to use the program identification to track at least one member of a group consisting of a number of times a selected media of the at least one program is streamed, another number of times the at least one program is streamed, a viewer attribute associated with the viewer receiving the selected media of the at least one program, and at least one other media from at least one other program streamed with the at least the portion of the media.

128. (Previously Presented) The system of claim 111 wherein the at least one program rule comprises at least one member of a group consisting of a program creation rule and a program routing rule.

129. (Previously Presented) The system of claim 111 wherein the at least one program further comprises at least one order consisting of at least one order component.

130. (Previously Presented) The system of claim 129 wherein the at least one order component comprises at least one member of a group consisting of a service rule identifying how a media viewing should be paid, a storage rule identifying where the at least the portion of the media and the program will be located for physical storage, a collection rule identifying an entity collecting a payment for services rendered, a viewing rule identifying acceptable viewers that can receive the at least the portion of the media and the program, and a settlement rule identifying how a collection is divided among participating entities.

131. (Previously Presented) The system of claim 129 further comprising a service processor configured to enable entry of the at least one program and the at least one order for the at least one program.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: The arguments filed on November 30, 2005 are persuasive.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Caldwell, whose telephone number is (571) 272-3868. The examiner can normally be reached on M-Th from 9:00 a.m. to 5:30 p.m. EST.

The fax number for Group 2100 is as follows:

Fax Responses: 571-273-8300

Any general inquiry relating to the status of this application can be answered using Patent Application Information Retrieval (PAIR) system, which is available at the USPTO web site. Any questions on using the PAIR system should be directed to the Patent Electronic Business Center toll free at (866) 217-9197.

Andrew Caldwell
571-272-3868
October 30, 2006

Interview Summary – Attachment C

**Polsinelli | Shalton
Welte | Suelthaus_{PC}**

700 West 47th Street, Suite 1000 | Kansas City, MO 64112
(816) 753-1000 | Facsimile: (816) 753-1536 | www.pswslaw.com

November 6, 2006

From: James M. Stipek
Direct Telephone No.: 816-360-4191
Facsimile No.: 816-753-1536

Attorney Docket No.106121

| To | Company | Fax Number | Examiner's Telephone No. |
|---------------------|----------------------------------|--------------|--------------------------|
| SPE Andrew Caldwell | U.S. Patent and Trademark Office | 571-273-3868 | |

Number of Pages Transmitted (including this cover sheet): 1

If you do not receive all pages of this communication, please call James M. Stipek at 816-360-4191

Message:

Applicant(s) Charles A. Jennings
Serial No. 10/051,406
Filed January 18, 2002
For System and Method for Routing Media

Examiner Stephan F. Willett
Art Unit No. 2142
Conf. No. 9625

Dear Mr. Caldwell,

Thank you for your facsimile dated October 29, 2006. You are correct that the present application 10/051,406 is to claim the benefit of priority from provisional application 60/263,944. I approve the change to the text of applicant's benefit claim. I confirm that I authorize the amendments identified in your facsimile dated October 29, 2006. Thank you for your assistance in this matter.



James M. Stipek
Reg. No. 39,388

Please return a confirmation of the same to the above referenced facsimile number.

CONFIDENTIALITY NOTICE:

The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the address shown above via the U.S. Postal Service. Thank you.

Washington, D.C. | Kansas City | St. Louis | Overland Park | Topeka | New York

1361488.1